THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.11191 of 2006

Date 29-11-2007

Between:
Bijjam Venkata Rami Reddy.

.... PETITIONERS

AND

The Superintendent of Police, Prakasam District and another.

...RESPONDENTS

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.11191 of 2006

O R D E R:

Though the matter is appearing under the caption 'Interlocutory', at the request of learned counsel for both the parties, the writ petition itself is being disposed of.

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in opening a rowdy sheet against the petitioner as illegal and arbitrary.

Petitioner, a resident of Daddawada Village, Komurolu Mandal, Prakasam District, was involved in criminal cases. The police registered a case against him in Crime No.8 of 2002 under Section 294 read with 6 of Indecent Representation of Women Act (Prohibition) of 1986 read with 114 IPC and another case in Cr.No.46 of 2006 for the offences under Sections 147, 148, 452, 324, 506, 427, 109 read with 149 IPC. In view of the involvement of the petitioner in the above cases, the Additional Superintendent of Police Operations, Markapur, vide proceedings dated 04-05-2006, directed to open a rowdy sheet against the petitioner. Petitioner seeks to discontinue the rowdy sheet opened against him inasmuch as no further cases were registered against him. Hence the writ petition.

Heard the learned counsel for the petitioner.

Learned Government Pleader for Home fairly submits that after involvement of the petitioner in Crime Nos.8 of 2002 and 46 of 2006, no further cases were registered against him and as per the A.P.Police Standing Orders, the rowdy sheets opened have to be reviewed periodically.

Opening of a rowdy sheet cannot be said *per se* illegal. It is to be noted that though the petitioner was acquitted in C.C.No.99 of 2002, which was registered as against Crime No.8 of 2002 on the

file of Giddalur Police Station, but C.C.No.46 of 2006, which was registered as against Cr.No.46 of 2006 on the file of Giddalur Police Station, is pending trial before the Additional Judicial First Class Magistrate, Giddalur. Once a rowdy sheet is opened, it cannot be continued as a matter of course and it has to be reviewed from time to time by assessing the future conduct of the petitioner. In the absence of any further cases being registered against the petitioner, his case has to be considered while reviewing the proceedings. Inasmuch as the rowdy sheet opened is valid upto 31-12-2007, I consider it appropriate to dispose of the writ petition permitting the petitioner to make a representation before the first respondent pointing out his acquittal in C.C.No.99 of 2002 and that he was not involved in any other cases so as to treat him as a habitual offender for continuance of the rowdy sheet. On such representation being made, the first respondent shall consider the same and pass appropriate orders within a period of six weeks thereafter and communicate the same to the petitioner.

With the above direction, the Writ Petition is disposed of. No order as to costs.

_____

29-11-2007

usd

-

-

-

-

-

-

-

-

-

-